

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3984-01
Bill No.: HB 1532
Subject: Alcohol; General Assembly; Liability.
Type: Original
Date: January 28, 2002

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
None			
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Courts Administrator** and the **Department of Public Safety - Division of Liquor Control** each assume this proposal would not fiscally impact their respective agencies.

In response to similar proposals from this year, the **Office of the Attorney General** assumed this proposal would not fiscally impact their agency.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

Small businesses that sell intoxicating beverages by the drink would, seemingly, be asserted a level of protection from liability with this proposal.

DESCRIPTION

Under current law, persons licensed to sell intoxicating beverages cannot be held liable for injuries to others inflicted by persons who purchase those intoxicating beverages unless the person licensed to sell intoxicating beverages is first convicted of selling them to a person under age 21 or to an obviously intoxicated person. The Missouri Supreme Court ruled that these exceptions were unconstitutional. This proposal deletes those exceptions. The proposal also clarifies that social hosts who serve or furnish intoxicating beverages to persons who may legally consume them cannot be held liable for

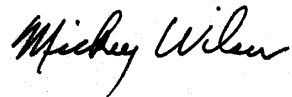
DESCRIPTION (continued)

injuries to others off the social hosts' premises inflicted by the persons to whom the intoxicating beverages were served or furnished.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the State Courts Administrator
Office of the Attorney General
Department of Public Safety - Liquor Control



Mickey Wilson, CPA
Acting Director
January 28, 2002